

**Naples Planning and Land Use  
Regular Meeting  
March 17, 2015**

**Commission Present:** Szeth Simmons, Mark Partridge, Cresta Slaugh, Chris Clark, Andrew Bentley

**Commission Absent:** Bret Stringham, Neil Cathey, Kerry Kinney,

**Others Present:** Joshua Bake, Connie Patton, Kenneth Reynolds, Dale Peterson, Dean Baker, Kelly Harvey, Amanda Kitchen, Jimmy Lewis, Cody Evans, Cliff Grua, Loren W Anderson, Kyler Lance, Eric Olsen, Justin Wallis, Ken Merrell, Dan Olsen, Dennis Long.

**Verification of full Quorum** Vice Chair, Cresta Slaugh verified a full Quorum  
All five Commission Members will be voting in tonight's meeting.

**Approval of Agenda**

Cresta asks for motion to approve the agenda for March 17, 2015. Mark made the motion to approve the agenda for March 17, 2015 meeting, Andrew seconds the motion.

All in favor:

<b>Szeth Simmons</b>	<b>Aye</b>
<b>Mark Partridge</b>	<b>Aye</b>
<b>Chris Clark</b>	<b>Aye</b>
<b>Cresta Slaugh</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

Motion passed with all voting Aye.  
None opposed

**Disclosures**

Chris Clark was the site engineer on the fire station site plan review. This is a non-action item. Chris has abstained.

**Approval of Minutes**

Cresta ask for questions or comments on the approval of minutes for February 17, 2014. Chris on the Pheasant Run Phase 2 and 3 plan reviews, change 1 to I. The last paragraph in that discussion, change to word up, to, up to the standards. Szeth makes a motion to approve the minutes with corrections, Andrew seconds the motion.

All in favor:

<b>Szeth Simmons</b>	<b>Aye</b>
<b>Mark Partridge</b>	<b>Aye</b>
<b>Chris Clark</b>	<b>Aye</b>
<b>Cresta Slaugh</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

Motion passed with all voting Aye.  
None opposed

**Administrative Updates:**

- Land Use Plan Update Requests

Joshua, we are going to forgo any training tonight due to the schedule but I do want to note that any Land Use Regulations. This will be a typical thing from now on for any ordinances that need clarification or need a second look. We will see that later tonight as we look at our Form Base Code and some proposed changes that we are looking at. We are looking at future development, the needs of the city, the current laws and regulations that we have in the city. It's a good opportunity to start in Planning and Zoning. If anything comes up you feel that we should address to enhance the city and make it a better place to live. Mark made the suggestion to carry out the training after the general business so the people with general business won't have to wait through training.

## **PLANNING**

- **Airport Land Use Ordinance Discussion Regarding Fencing**
- Industrial Fence Requirements Discussion
- Form Based Code Discussion Regarding Road Designs
- Site Plan Review Concept for Naples City Fire Station in the Downtown C-1 Zone

Joshua, tonight is not an official public hearing, it is to get these things on your mind to let you be thinking about these things as they approach. The first one will be the Airport land use request from the County and the Airport; representatives are here from the Airport. There are some notes in your packets that give a brief of what they are going to talk about. I will turn the time over to them.

Airport Representative/ Uintah County and the Airport are seeking an amendment to the ordinance for the fencing. The FAA has said the wall that needs to be built; we don't want it four feet from the property line because that is taking three feet of our property. We have talked to Councilman Gordon Kitchen to see if we could move it three feet closer to his property that the fence will abut up against. We would like to amend the ordinance to allow us to move the wall within one foot of the property boundary. Andrew, is this FAA regulation or did someone look at it and say, hey we could use that property. Representative, it's both, 3 feet by 300 feet. We purchased the property and now we are being fenced out of it, and we don't want that. Andrew, why was this not addressed before the purchase took place? Representative, these things come up as they come up. Andrew, so if you get a no answer, what's their response going to be? Will it shut down the Airport if we decide not to change to ordinance? Representative, we are hoping we won't get a no answer. I don't think it will shut down the Airport but we could lose some grant money. Andrew so what are we look at here tonight? Joshua, we just need a discussion to get all the steps in the proper order. No official action will be taken.

- **Industrial Fence Requirements Discussion**

Joshua, this is a follow up from our last meeting where we had an industrial zone wanting to put up a chain-link fence, across the street from a residential zone. We will have a public hearing at our next Planning and Zoning meeting to discuss this issue. I wanted to bring this up tonight to address any concerns or questions that you may have so you are ready when we do bring that ordinance forward. One of the questions from last meeting was concerning if across the street was adjoining residential.

Jimmy Lewis, I would like to ask for an ordinance change so I can put a chain-link fence otherwise we will just leave the old barbed wire fence there. The way the economy is we can't afford to put up a masonry wall. The material is already bought for the chain-link fence. Chris, now that we have said the masonry wall is the rule, have you looked into the cost of masonry wall vs the chain-link? Jimmy, I have talked to a fencing contractor and he said the cost would be \$45.00 to \$50.00 dollars a square foot. That's quite a bit for us. Chris, so what would the chain-link then be? Jimmy, right now we are using our own guys and we have \$2,100.00 in material. Andrew, it would be about \$16,000.00 on the masonry wall. Mark, going over the last meeting I thought this was a little bit over board on what we insisted on. I voted against the motion and I still vote against the motion. I think we as a committee need to make some changes to our ordinance to allow the fence to go in. Is there a difference in commercial? We have a building just to the south of us here, QC Testing, put a chain-link fence all around their property and they are adjacent all the way around their property with residential. Again this is a discussion only, no official action will be taken. Joshua, this is a great opportunity to clean up the ordinance so we can get it exactly as we want it.

- **Form Based Code Discussion Regarding Road Designs**

Joshua, this is one of those great examples, we need to look at our ordinance, to think about and discuss, does this meet the purpose, and the intent of what we want to do in our community. With our new Fire Station going in this is a good time to think about this. We are in a unique situation where as we as Naples City will be the first ones to build in our Naples Downtown area. In reviewing the requirements in our Form Based Code we found a couple things that we would like to bring to the attention of the Planning Commission. In the future we will have a public hearing to propose the ordinance changes, tonight is to put it on your radar so you will know what things we will be discussing. Form Based Codes can be great and wonderful things. They help dictate a neighborhood, an area with design standards to make things uniform, to keep things nice and pleasing to the eye. In your packets I included the section on roads. Our Form Based Codes dictates what roads will go where. What the design of those roads are. What the requirements are. The first one will be right in front of City Hall. That road is 50'6" and that is just half of the road. We are talking 100' road. Our curved road out there is 42'. At 100' we will be getting rather large. With the setbacks it will be 120'. What we are proposing tonight is to change the street requirements to one standard street. Two lanes in different directions with a center turn lane

or for future development the center turn lane can be changed into a landscape strip. The way things are written in the current code there is no flexibility, those primary roads are set and that's where they are going to be. We need to help future developers, because we don't know what development is going to go in in each location. We need to make it as flexible as possible. Just a reminder we are not asking for an official vote on anything tonight. We want to have a public hearing on this so the public can have input on this before any official changes are made. Oft time's things look very different in reality than they do on paper. I have worked with Formed Base Codes in the past, they can be a wonderful tool, and they can also be a great obstacle. We have a good opportunity here to make this a great tool. Andrew, the 10' sidewalks? Is that so the businesses can build right up next to the sidewalk? Joshua, currently that is the way our Form Base Code is written, the buildings are built right up to the sidewalk. That's another thing we are looking at. That is more how main downtowns are in larger communities. I think we as Naples need to decide in Planning Commission and City Council is that the downtown we want? If it is, it works, and if it's not, we have an opportunity to fix that now. Chris, I think the one thing we are going to want to define is, we can't dictate it, and we need to make sure we are going to have streets that work. To impose a 101' Cross Street to a developer is pretty unattractive cost wise.

- **Site Plan Review Concept for Naples City Fire Station in the Downtown C-1 Zone**

Joshua, we will have a public hearing on this so we can do the preliminary final together. Justin Wallis, the Fresh Start Tech for the Fire Station. I'm working with Chris as our Civil Engineer. We have presented the conceptual design at least to the City Council I'm not sure if it has gone through the Planning Commission. One exception that we are proposing is the setback from the sidewalk to the building. Do to the nature of this we decided it would be wise to slide the building back away from the sidewalk to provide safety and visibility as the trucks are pulling out. The trucks will enter on the east side of the building and have enough space to turnaround to position themselves within the truck bay. We have proposed to add the planter strip and curb and gutter. We have in the planted area planted places and street trees as well as bike racks and or benches. We are proposing on the north side of the street we put in just the street lights at this time. Then when future development comes in we are not ripping things out. The next time we come before you we would like to have a combination of preliminary and final approval. We would like to have a public hearing between then and now so we can appease and public comments there might be. Mark, at the time of the next meeting is the road with going to have to be decided? Joshua, the goal certainly is the have this all taken care of. Justin, we could break this up into two plans. Going from the curb forward and the curb backward, the one from the curb backward would not be affected until you make a decision on the road. Joshua, I think it would be good to have a vote on a concept approval tonight. We can do the concept now and do a public hearing with a prelim and final. That way you guys can approve or not approve whatever you feel appropriate.

Mark, I would like to make the motion that we accept the concept plan for the Naples City Fire Station in the downtown C-1 Zone. Szeth seconds the motion.

Roll Call:

Szeth Simmons	Aye
Mark Partridge	Aye
Chris Clark	Aye
Cresta Slaugh	Aye
Andrew Bentley	Aye

Motion passed with all voting Aye.

None opposed

### **Action Items**

- **ROCMMENTATION TO CITY COUNCIL ON THE FOLLOWING ITEMS:**

- The Farm Subdivision Amendment B to Phase 1
- The Farm Subdivision Amendment A to Phase 2

Joshua, the Farm Subdivision is bringing two amendments. Amendment B to Phase 1 and amendment A to Phase 2.

Eric Olsen, the amendments are going right on the line of two Phases. Let's start with Phase 1 the Farm Subdivision; lot 9A is where all of the amendments are taking place. The north east corner has been squared up because primarily there is and irrigation line there that Cody Evens and Dean, his young brother and other farmers use. The irrigation line was originally part of the greenspace which is part of this petition to do away with the greenspace. We would like to move the French drain to the front of the lot to make it a better buildable

lot, the same as the rest of the homes. What is being proposed is the French drain going through the middle will be moved to the front, parallel to the 10' utility easement so there will be 30' of public utility easement in front of that lot.

Phase 2 the Farm Subdivision, Nash LLC is requesting to vacate the greenspace designation. The Home Owners Association has voted, they voted last year. They sent out 35 ballots, 29 of them were returned and there wasn't one no. They have pulled out the green space and dissolved the HOA there is currently no HOA to maintain the greenspace. We would like to do away with the green space and move it to a buildable area. Between lot 9A and lot 17 there used to be a 14' path. That 14' path was designated to accommodate the irrigation line that Cody uses. With that being removed lot 17's lot line would be amended to 9A's east line. With that there needs to be an easement on there so the 20' easement took place on the plat to accommodate the irrigation line and also the French drain reroute line. It also incorporates the discharge point from the valve into the stream with a 5' off set past the end of the pipe to accommodate any kind of repair work in the future. On the North West property corner, if you look at 17, it used to come down on the south side of 17 to accommodate the pipeline and greenspace, that is not the case anymore. We have squared up that area. Andrew, that extra property comes from what used to be the greenspace? Eric, yes, owned by Ray Nash lot 17. The other thing on phase 2, if you look at 16, I think its 16'. That was on the plat as wall for that irrigation line. Since Mr. Evens owns the property to the south it makes it legal to subdivide that into there and make that a legal lot. Talking with Mr. Evens and Mr. Nash they have decided to incorporate that into the property to the south as one parcel. The city office has that application with the approval of these amendments. It's going parallel. That plat will be approved pending this. The reason I'm doing this first is to pull that section out of phase 2 physically.

Mark, I'd like to make a recommendation to the City Council to accept the Farm Subdivision Amendment B Phase 1, and the Farm Subdivision Amendment A to Phase 2.

Andrew, can you add my concerns in with that motion? I just have concerns doing away with the greenspace.

Joshua, we need a second before any discussion.

Andrew, seconds it. I don't know the legalities of this; it is a big deal to remove that greenspace in there, just from the time we have had at the table discussing it. That is just not glossed over because that is essentially what this is doing is removing that greenspace and I just want to make sure that that's not glossed over by the City Council. Eric Olsen, I think what's important to remember in this, the home owners have had enough, they voted to do away with it. If they didn't vote they had a chance. If the greenspace is not amended and done away with, you're doing one of two things. You're either telling the Home Owners Association that by statute and law that they can re core a new CCF&R and do away with the Home Owners Association. Two if you tell them that they have to maintain that greenspace into reform, you're going against state statute. The second thing is if you don't do that then the city has to take up responsibility to maintain that greenspace. Andrew, that's fine. Mark, I personally don't think it needs to be in there. We are changing it with our ordinance changes so from now on they have voted and said there piece.

Roll Call:

Szeth Simmons	Aye
Mark Partridge	Aye
Chris Clark	Aye
Cresta Slaugh	Aye
Andrew Bentley	Nye

Recommendation passed with four Ayes and one Nye.  
None opposed

### **Items For Future Discussion**

### **ADJOURN**

Chris made a motion to adjourn, Szeth seconds the motion.

Roll Call:

<b>Szeth Simmons</b>	<b>Aye</b>
<b>Mark Partridge</b>	<b>Aye</b>
<b>Crest Slaugh</b>	<b>Aye</b>
<b>Chris Clark</b>	<b>Aye</b>
<b>Andrew Bentley</b>	<b>Aye</b>

Motion passed with all voting Aye.  
None opposed